

REMARKS

Applicant has studied the Final Office Action dated November 30, 2005. Claims 1-15 are pending. Claims 1, 10 and 13 are independent claims. It is submitted that the application is in condition for allowance. Reconsideration and reexamination are respectfully requested.

Claim Objection

The Office Action Summary indicates that claim 3 is objected to. However, the objection to claim 3 is not addressed in the Office action. Applicant assumes that the objection to claim 3 is related to the rejection of independent claim 1 since claim 3 depends from claim 1. Since it is respectfully submitted that the rejection of independent claim 1 has been overcome, it is respectfully requested that the objection to claim 3 be withdrawn.

Double Patenting Rejection

The Examiner rejected claims 1, 2 and 4-9 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over copending U.S. Patent Application No. 10/773,041 ('041 application). It is respectfully submitted that the '041 application and the present application are commonly owned. The Examiner further indicated that the terminal disclaimer submitted in response to the previous Office action was not accepted as the application being disclaimed was improperly identified, specifically indicating that the correct application number is 10/773,041.

In the interest of expediting prosecution of this application without prejudice, a terminal disclaimer is submitted in compliance with 37 C.F.R. 1.321(b) to overcome this rejection. It is respectfully submitted that the application being disclaimed is properly identified and it is respectfully requested that the rejection be withdrawn.

Allowable Subject Matter

Applicant graciously acknowledges the Examiner's allowance of claims 10-15.

CONCLUSION

In light of the above remarks, Applicant submits that claims 1-15 of present application are in condition for allowance. Reexamination and reconsideration of the application is requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California, telephone number (213) 623-2221 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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By: _____


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Enclosure: Terminal Disclaimer

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